

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Texas

RETHINK35, SAVE OUR SPRINGS ALLIANCE,
AUSTIN JUSTICE COALITION, PEOPLE
ORGANIZED IN DEFENSE OF EARTH AND HER
RESOURCES (PODER), et al.

Plaintiff(s)

v.

TEXAS DEPARTMENT OF TRANSPORTATION
(TXDOT), MARC WILLIAMS, in his official capacity
as Executive Director of TXDOT, et al.

Defendant(s)

Civil Action No. 1:24-CV-00092-DII

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Marc Williams
Executive Director
Texas Department of Transportation
125 East Eleventh Street
Austin, Texas 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Rachel S. Doughty - rdoughty@greenfirelaw.com
2748 Adeline Street, Ste. A, Berkely CA 94703
William Bunch - bill@sosalliance.org
Robert Levinski - bobby@sosalliance.org
Victoria Rose - victoria@sosalliance.org
4701 Westgate Blvd, D401, Austin, TX 78745

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 04/12/2024



(Handwritten signature of Philip J. Devlin)

Signature of Clerk or Deputy Clerk

Civil Action No. 1:24-CV-00092-DII

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
Western District of Texas

Case Number: 1:24-CV-00092-DII

Plaintiffs:

Rethink35, Save Our Springs Alliance, Austin Justice Coalition, et al

vs.

Defendants:

**Texas Department of Transportation (TXDOT), Marc Williams, in his official capacity
as Executive Director of TXDOT, United States Department of Transportation
(USDOT), et al**

For:

Save Our Springs Alliance
4701 Westgate Blvd
Suite D-401
Austin, TX 78745

Received by Markus Fagerberg on the 16th day of April, 2024 at 11:57 am to be served on **Marc Williams, in his official capacity
as Executive Director of the Texas Department of Transportation, 125th E 11th Street, Austin, Travis County, TX 78701.**

I, Markus Fagerberg, being duly sworn, depose and say that on the **16th day of April, 2024 at 3:35 pm, I:**

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Summons in a Civil Action and Plaintiff's Original
Complaint for Declaratory and Injunctive Relief** with the date of service endorsed thereon by me, to: **Carmen Jacquez, Texas
Department of Transportation as Authorized Agent** at the address of **125th E 11th Street, Austin, Travis County, TX 78701**
and informed said person of the contents therein, in compliance with State Statutes.

I certify that I am over the age of 18, I am not a party to the suit, and I am a disinterested person with no interest in the outcome of the suit. I delivered the listed documents with the date of service endorsed thereon by me and informed the recipient of the contents therein, in compliance with state statutes.

My name is Markus Fagerberg. My date of birth is 7/19/2000. My work address is 1100 Nueces, Austin, TX 78701. I declare under penalty of perjury that the foregoing is true and correct. Executed in Travis County on April 16, 2024 by Markus Fagerberg, declarant.

Subscribed and Sworn to before me on the 16th
day of April, 2024 by the affiant who is personally
known to me.

NOTARY PUBLIC



Markus Fagerberg
PSC- 23308; Exp. 09/30/2025

Austin Process LLC
1100 Nueces
Austin, TX 78701
(512) 480-8071

Our Job Serial Number: MST-2024003344
Ref: Rethink35, et al vs. TDOT, et al